

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

SHARON LEWIS,

Plaintiff,

vs,

**CITY OF KIMBALL; GREG
ROBINSON, individually and in his
official capacity as Mayor of the
City of Kimball; EVERSTON OIL
COMPANY, INC.; CASTONICS, INC.;**

**BRUCE EVERSTON; FORWARD
KIMBALL INDUSTRIES, INC.;
DAVE WOLF; PERFORMAX
BUILDING MATERIALS, INC.;
PERRY VAN NEWKIRK; and
MARY LOU DIAZ,**

Defendants.

CASE NO. 4:06CV03084

**ORDER GRANTING MOTION
TO AMEND ANSWER**

THIS MATTER, having come to be heard upon Defendant Performax Building Materials, Inc.'s Motion to Amend Answer, the Court having reviewed same and being fully advised in the premises;

DOTH ORDER that the Motion to Amend Answer, filing 125, is GRANTED. The Amended Answer attached to Defendant's Motion is deemed filed as of the date of this Order.

DATED this 24th day of April, 2007.

BY THE COURT

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge